

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:02CR3204
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
JAMES MALONE,)	
)	
Defendant.)	

A motion to reduce the defendant's sentence was filed in this case on July 16, 2004. (See filing 29.) I have been waiting to set the motion for hearing because I wanted the government's advice about when it would be most appropriate to do so. A long time has passed, but I have not yet been advised that the motion is ripe for decision. We need to get this case moving. Therefore,

IT IS ORDERED that:

(1) By the close of business on Tuesday, September 12, 2006, counsel for the government shall show good cause why I should not set the Rule 35 motion for hearing.

(2) Absent a sufficient showing of good cause as required by paragraph 1, I shall set the Rule 35 motion for hearing.

August 17, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge